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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,258	08/29/2003	Alexander Vaschillo	MS303849.1/MSFTP449US	1975
27195 7590 12/21/2007 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2166	
			NOTIFICATION DATE	DELIVERY MODE
			12/21/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/652,258	Applicant(s) VASCHILLO ET AL.	
	Examiner Isaac M. Woo	Art Unit 2166	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
 4a) Of the above claim(s) 34-46 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-23 is/are allowed.
- 6) ☒ Claim(s) 24-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 31, 2007 has been entered.
2. Claim 1 is amended. Claims 34-46 are withdrawn. Claims 1-33 are presented for examination for this office action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 24-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch et al (U.S. Pub. No. 2003/0055828, hereinafter, "Koch") in view of Dunn et al(U.S. Patent No, 5,668,991, hereinafter, "Dunn").

With respect to claim 24, Koch teaches a declarative description component that receives the relational schema in the form of at least metadata and generates a data file, in an non-procedural declarative language format based upon an eXtensible Markup Language (XML) syntax (page 8, sections 0087-0088), that represents the relational database (fig. 16A-B, page 6, section 0064), generates a file, and stores the data in the file (page 6, sections 0064-0069), the file facilitates reconstruction of the relational database when disconnected from the relational database (page 4, sections 0054-0058), the declarative description component facilitates updates to the relational database such that changes to the data in the files. Koch does not explicitly disclose while disconnected from the relational database are utilized to update the relational database when the file connected with the relational database. However, Dunn discloses, "The filtered journal can also be used for performing an off-line integrity check on the reconstructed database file", (abstract) and "The advantage of this is that it allows the integrity check to be performed off-line, while the database program 10 is still running and updating the database file 11", (col. 3, lines 1-10, fig. 1). This teaches that the data changed during off-line will be updated reconnected again for data integrity. Therefore, based on Koch in view of Dunn, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to utilize the teaching of Dunn to the system of Koch in order to provide data integrity using off-line data updating check method in data management system.

With respect to claim 25, Koch teaches the declarative description component derives logical and physical information from the metadata, which physical information is derived directly from the metadata, and which logical information includes annotations of the physical information (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 26, Koch teaches the annotation information is added incrementally (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 27, Koch teaches the data file is segmented into smaller data tiles to allow logical extensions thereof (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 28, Koch teaches the data file is stored local to the database (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 29, Koch teaches the declarative description component runs against the relational database from a location remote from the relational database (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 30, Koch teaches the relational database is distributed across at least two network locations such that the description component runs against each location database to generate respective data files (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 31, Koch teaches the respective data files are retrieved and processed to regenerate the relational database (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 32, Koch teaches the data files are retrieved and processed by corresponding applications in a disconnected environment (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

With respect to claim 33, Koch teaches the format is one of implementation-neutral or implementation-specific (page 1, section 0006, 0010, page 3, sections 0038-0039, page 4, section 0053, 0061).

Allowable Subject Matter

5. Claims 1-23 are allowed.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Isaac Woo
December 7, 2007

A handwritten signature in black ink, appearing to read 'Isaac Woo', with a long horizontal flourish extending to the right.